

ECONOMIC DEVELOPMENT AUTHORITY[261]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of 2011 Iowa Code Supplement section 15.106A, the Economic Development Authority hereby gives Notice of Intended Action to amend Chapter 47, “Endow Iowa Tax Credits,” Iowa Administrative Code.

The proposed amendment updates the rules to reflect a statutory increase in the amount of tax credits available and the corresponding increase in the amount of tax credits available to individual taxpayers.

Public comments concerning the proposed amendment will be accepted until 4:30 p.m. on October 23, 2012. Interested persons may submit written comments to Timothy Whipple, Economic Development Authority, 200 East Grand Avenue, Des Moines, Iowa 50309; telephone (515)725-3124; e-mail tim.whipple@iowa.gov.

The Authority Board approved the amendment on August 17, 2012.

After analysis and review of this rule making, no adverse impact on jobs has been found. The increased amount of tax credits may positively impact jobs and economic growth for businesses in the state of Iowa.

This amendment is intended to implement Iowa Code sections 15E.301 to 15E.306.

The following amendment is proposed.

Amend subrule 47.3(3) as follows:

47.3(3) The aggregate amount of tax credits available under this rule is limited according to Iowa Code section 15E.305, subsection 2. The aggregate amount is determined by taking a base authorization amount specified in Iowa Code section 15E.305, subsection 2, paragraph “a,” and adding an additional amount to be determined annually by calculating a certain percentage of the state’s gambling revenues, as provided in Iowa Code section 99F.11, subsection 3, paragraph “d,” subparagraph (3), for the prior fiscal year. For calendar year 2011 and for all subsequent calendar years, the annual base authorization amount of available tax credits is \$3.5 million. The additional amount varies each year according to the amount of gambling revenues collected in the prior year. For ~~2011~~ 2012, the aggregate amount of available tax credits is ~~\$4,551,813~~ \$4,642,945. The maximum amount of tax credit that an individual taxpayer may claim is limited to 5 percent of the aggregate amount available each year. For ~~2011~~ 2012, the maximum amount of tax credit available to a single taxpayer is ~~\$227,590.65~~ \$232,147.25. If the authority receives applications for tax credits in excess of the amount available, the applications shall be prioritized by the date the authority received the applications. If the number of applications exceeds the amount of annual tax credits available, the authority shall establish a wait list for the next year’s allocation of tax credits and applications shall first be funded in the order listed on the wait list.